

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

RNPM, LLC,

Plaintiff,

vs.

ALBA DIANA VILAR VELEZ

Defendants.

CIVIL NO. 11-1517 (CCC)

RE: COLLECTION OF MONIES,  
FORECLOSURE OF MORTGAGE

**DEFAULT JUDGMENT**

Upon plaintiffs application for judgment, and it appearing from the records of the above entitled cause that default was entered by the Clerk of this Court against the defendant (for failure to plead or file an answer to the complaint, or otherwise appear in the above cause) plaintiff is entitled to a judgment by default, and the Court being fully advised of the facts,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant is hereby ordered to pay Plaintiff the following sums:

\$83,966.01 in principal, \$7,287.79 in accrued interest as of October 10, 2011, which continue to accrue at 6.00% per annum until payment in full, late charges of \$396.91, and any disbursements made by plaintiff on behalf of defendant in accordance with the mortgage deed, plus costs, and ten (10) percent attorneys fees.

1. In default of the payment of the sums hereinbefore specified or of any part thereof, within ten (10) days from the date of entry of this judgment, and upon verified

evidence that the mortgage has been duly recorded is presented to this Court, the following mortgaged property described in the Spanish language, shall be sold at public auction to the Highest bidder therefor, without an appraisal or right of redemption for the payment of plaintiffs mortgage within the limits secured thereby:

"APARTANENTO NUMERO NOVECIENTOS UNO (901): URBANA: PROPIEDAD HORIZONTAL. APARTAMENTO RESIDENCIAL localizado en el primero piso (Segundo Nivel) del Edificio "B" del Condominio "Marina Barceloneta", sito en el Barrio Pueblo del termino municipal de Barceloneta, Puerto Rico.-----

---Area aproximada de ochocientos noventa y cinco pies cuadrados con novecientos cuarenta y uno milésimas de otro (895.941 p/c), equivalentes a ochenta y tres metros cuadrados con doscientos sesenta y seis milésimas de otro (83.266 mc.).-----

---En lindes: Por el NORTE, en cuarenta y seis pies con cuatro pulgadas (46'4") con areas comunes, pasillo y escaleras; por el SUR, en cuarenta y seis pies con cuatro pulgadas (46'4") con Apartamento Ochocientos Uno (801); por el ESTE, en diecisiete pies con diez pulgadas (17'10") con la Calle Juan de la Torre; y por el OESTE, en veintiun metros con tres pulgadas (21'3") con area de estacionamiento.-----

---Consta de sala-comedor, cocina, balcón, tres (3) dormitorios, dos baños, roperos ("closets") y lavandería ("laundry").-----

--Su puerta principal de entrada esta situada en el lindero Norte.-----

--Le pertenece el uso exclusivo como elemento privado: dos (2) estacionamientos, identificados con el número novecientos uno (901), en el área descubierta del estacionamiento y en el "Plot Plan", con una cabida superficial de doscientos setenta pies cuadrados (270 p/c), equivalentes a veinticinco metros cuadrados con ocho centésimas de otro (25.08 m.c.); siendo sus colindancias; por el NORTE, con el estacionamiento Mil Uno (1001); por el SUR, con el estacionamiento Ochocientos Uno (801); por el ESTE, con área de rodaje; por el OESTE, con área verde.-----

--El area total de este apartamento, incluyendo el estacionamiento privado, es de mil ciento sesenta y cinco pies cuadrados con novecientos cuarenta y uno milésimas de otro (1,165.941 p/c), equivalentes a ciento ocho metros cuadrados con trescientos cuarenta y seis milésimas de otro (108.346 mc.).-----

---Este apartamento tiene una participación en los elementos comunes generales de dos por ciento con tres mil quinientos dieciocho milésimas (2.3518%).-----

2. It is hereby ordered that, upon plaintiff's request, a Special Master shall be designated to make the sale hereinbefore mentioned, but said Special Master shall not proceed to carry out the said sale, nor do anything in connection therewith, until further order of this Court and under the form and conditions to be directed by this Court.

3. The sale to be made by the appointed Special Master shall be subject to the confirmation of this Court, and the purchaser or purchasers thereof shall be entitled to receive possession of the property sold. The minimum bid to be accepted at the first public sale in accordance with the mortgage deed referred to in this auction is **One Hundred Thousand Dollars (\$100,000.00)**.

4. Any funds derived from the sale to be made in accordance with the terms of this judgment and such further orders of this Court shall be applied as follows:

a) To the payment of all proper expenses attendant upon said sale, including the expenses, outlays and compensation of the Special Master appointed herein, after the said compensation and expenses shall have been fixed and approved by the Court, all said expenses to be deducted from the sum provided in the deed of mortgage for costs, charges and disbursements, expenses and attorney's fees.

b) To the payment of all expenses or advances made by the Plaintiff.

c) To the payment to plaintiffs of the amount of \$83,966.01 in principal, \$7,287.79 in accrued interest as of October 10, 2011, which continue to accrue at 6.00% per annum until payment in full, late charges of \$396.91, and any

disbursements made by plaintiff on behalf of defendant in accordance with the mortgage deed, plus costs, and ten (10) percent attorneys fees.

d) If after making all the above payments there shall be a surplus, said surplus shall be delivered to the Clerk of this Court, subject to further orders of the Court.

e) If after making all the above payments there is a deficiency, Plaintiff may seek further orders of the Courts to collect said deficiency from Defendant.

5. Plaintiff in these proceedings may apply to this Court for such further orders, as it may deem advisable to its interests, in accordance with the terms of this judgment.

SO ORDERED.

San Juan, Puerto Rico, this <sup>th</sup>30 day of November, 2011.



U.S. DISTRICT JUDGE